



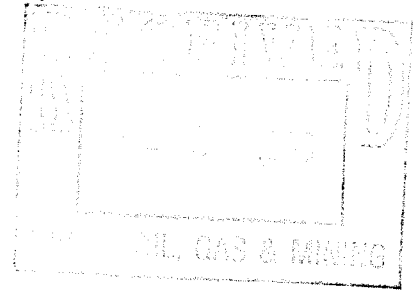
**State of Utah**  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WILDLIFE RESOURCES

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December 18, 1996

Mr. Jeff Defreest  
United States Department of Agriculture  
Manti-La Sal National Forest Supervisor's Office  
599 West Price River Drive  
Price, Utah 84501

*For my nephew, Jeff, Price*  
*ACT/015/032 #2*

Dear Jeff:

This letter is in response to your request for comments from the Utah Division of Wildlife Resources on Genwal Resources Inc. application to lease the proposed Federal Coal Lease known as Mill Fork Lease Tract (UTU-71307). These comments are to be considered in the preparation of a forthcoming environmental analysis conducted by the Manti-La Sal National Forest and the Bureau of Land Management.

Mill Fork Canyon contains critical elk winter habitat. It has been our experience and has been documented well in the literature that roads fragment elk habitat and render otherwise suitable habitat not inhabitable to elk. Therefore, we request that no improved roads be built in Mill Fork Canyon. We also recommend that machinery and/or vehicles of any kind be restricted from using Mill Fork Canyon from November 15 to April 15 each year to limit stress to wintering elk.

Raptors, including golden eagles and red-tailed hawks are known to nest in the area. A golden eagle nest lies in the SW 1/4 of section 7 in the proposed lease (see attached map). In addition, two other golden eagle territories (1/2 mile radius) lie partially within the confines of the Mill Fork Coal Lease. The critical nesting period for these birds occurs from February 15 to July 15.

Raptor surveys should be conducted annually to determine nesting status of these raptors. Any backfilling that is to be permitted should be done far enough away or at an angle that would preclude any material from spalling onto canyon bottoms. In addition, any authorized backfilling near canyon rims in the proposed lease area should be performed during the seven month period of each year (July 16 to February 14) when these raptors do not engage in breeding activities. These precautions should prevent any harm or harassment to current or future raptors nesting in or near the proposed mine lease. These precautions in backfilling near canyon rims should also prevent material from spalling into streams in canyon bottoms.



Mill Fork and Crandall Canyons contain perennial sources of water. In addition, ephemeral sources of water existing above the proposed 6,600 acre lease include Little Bear Canyon and the Right Fork of Rilda Canyon. Subsidence caused from secondary mining under these streams could cause disruption to the respective stream channels as well as additional damage to the watershed. Due to these potential problems, only first mining should be conducted. A barrier restricting coal recovery to first mining is essential along all streams in the proposed lease area. This buffer should follow Federal guidelines as a minimum requirement. We recommend a buffer limit of not less than 200 feet on each side of all streams in the project area.

Sincerely,

*Miles Moretti (Signed by Jeff Beck)*

Miles Moretti

cc: UDWR Habitat Section SLO  
Utah Division of Oil Gas and Mining  
UDWR SERO

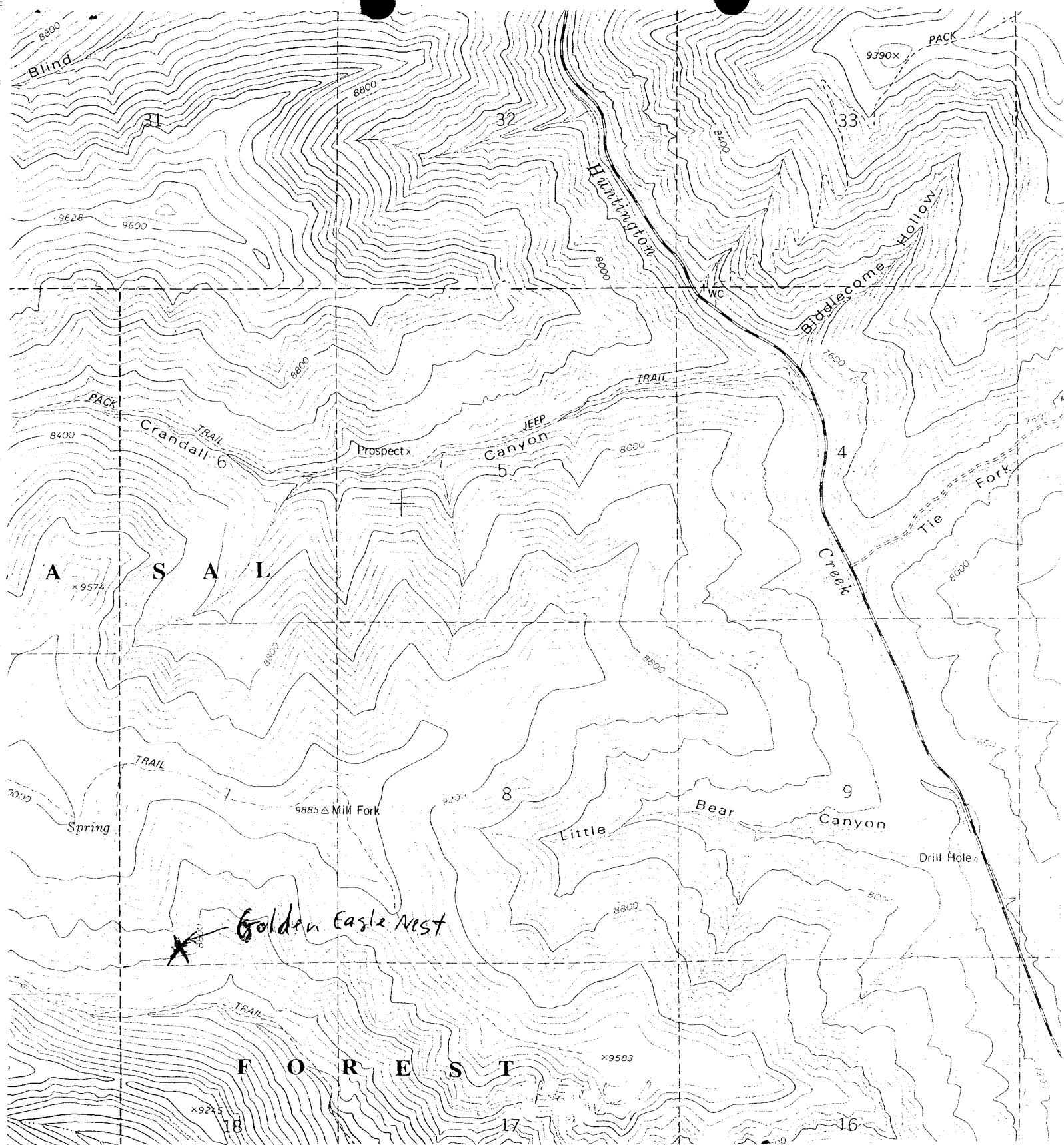


Figure 1. Raptor nest locations in the vicinity of the proposed Genwal Resources Inc., Federal Coal Lease UTU-71307, Emery County, Utah. An "x" denotes the location of a raptor nest. This map from the USGS, 7.5' Rilda Canyon Quadrangle.